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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,830	06/05/2006	Stefano Delfini	3633	7179
7590 Striker Striker & Stenby 103 East Neck Road Huntington, NY 11743		03/31/2008	EXAMINER MICHALSKI, SEAN M	
			ART UNIT 3724	PAPER NUMBER PAPER
		MAIL DATE 03/31/2008	DELIVERY MODE PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/581,830	<b>Applicant(s)</b> DELFINI ET AL.
	<b>Examiner</b> SEAN M. MICHALSKI	<b>Art Unit</b> 3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED. (35 U.S.C. § 133).

Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 05 June 2006.

2a) This action is FINAL.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-8 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-4 and 6 is/are rejected.

7) Claim(s) 5,7 and 8 is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \* c) None of:  
 1. Certified copies of the priority documents have been received.  
 2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

1) Notice of References Cited (PTO-892)  
 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)  
 3) Information Disclosure Statement(s) (PTO-1448)  
 Paper No(s)/Mail Date 05/06

4) Interview Summary (PTO-413)  
 Paper No(s)/Mail Date. \_\_\_\_\_

5) Notice of Informal Patent Application

6) Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Odendahl et al (US 5,644,847) in view of Larsh (US 365,441).

Odendahl discloses a jigsaw with a housing (12 figure 1) and a motor (implicit in column 2 lines 48-50) a saw blade (21 figure 1) having a back (23 figure 1) and a sawtooth strip (22 figure 1). Odendahl further discloses a support device (30 figure 1) with a support roller (28 figure 1; see also groove in figure 6), there is also disclosed a holder (230 figure 6) which has two arms (see figure 6) the accommodates the support roller, there is also a guide device (248, and opposed disk to 248 figure 6) capable of guiding and supporting the blade via guide elements (248 and the opposed disk to 248 figure 6) located on opposite sides of the support roller (which is seen between 248 and the opposed disk in figure 6). As seen in figure 6, the guide device is integrated in the holder of the support device (they are both on the same arms, and hub).

Odendahl does not disclose that the guide disks are adjustable from one another.

Larsh teaches an integrated guide/support wheel, having a groove at d' which has a support roller and guide elements, one guide element being axially adjustable relative to the other (No. 2 is adjustable relative to "C" via displacement members (the

threads on 'h' are 'displacement members') and also including manual actuating members (the screw heads of 'h' are 'manual actuating members' because they can be actuated by hand- at least by a screw driver--a manual tool- or by a fingemail).

It would have been obvious to provide the jigsaw (handheld) of Odendahl for axial adjustment of the guide elements relative to one another in of a saw bearing, since as Larsh discloses it will "suit saws of different thickness" (column 2 lines 55-56).

Regarding claim 2, as seen in figure 1 of Larsh, the guide elements are disks with a greater diameter than that of the support roller, which is enclosed within the guide disks, as seen clearly in figure 3.

Regarding claim 3, it is clear that the structure of C is such that the Guide disk portion thereof is integral with the support roller portion thereof, and that the "No. 2" is axially displaceable thereupon.

Regarding Claim 4 and 6, as above the screw heads are manual actuating members. Alternatively examiner takes official notice that Phillips screw-heads are known equivalents of hand-turn screw-heads, including 'rotary knobs' such as those on an eye bolt, or other common hardware.

In light of that fact, it would have been obvious to make the screw heads of Odendahl in view of Larsh manually operable since it would allow for ease of adjustment. It is common sense that ease of adjustment is beneficial and desirable and could be selected as a matter of design choice.

***Allowable Subject Matter***

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3. Claims 5, 7, and 8 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. The following is a statement of reasons for the indication of allowable subject matter: there is **not currently any known reason** to replace the interior structure of a perfectly good guide assembly (Larsh) with a spring and exterior knob assembly, and add spring washers, such that the guide disks are biased outwardly against spring washers.

***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to SEAN M. MICHALSKI whose telephone number is (571)272-6752. The examiner can normally be reached on M-F 7:30AM - 3:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Boyer Ashley can be reached on 571-272-4502. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Sean M Michalski/  
Examiner, Art Unit 3724

/Kenneth E Peterson/  
Primary Examiner, Art Unit 3724